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10/036,667	12/21/2001	John K. Gallant	RIC01016	3681

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EXAMINER	
THIER, MICHAEL	

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

Office Action Summary	Application No.	Applicant(s)	
	10/036,667	GALLANT ET AL.	
	Examiner	Art Unit	
	Michael T. Thier	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17,27-51,61-64,66-68 and 75-80* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17,27-51,61-64,66-68 and 75-80* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/06/2007 has been entered.

Response to Arguments

2. Applicant's arguments filed 8/3/2007 have been fully considered but they are not persuasive.

Applicant continues to argue the motivations of the combinations of references in the rejection.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case the motivations are all clearly shown. The examiner would also like to note that the test for obviousness

is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). The previous rejection contained response to arguments that explained the motivations for the combinations being argued.

The examiner would like to note that it seems the applicant is continuing to argue nearly all the arguments from the previous remarks dated 10/10/2006, and the examiner would like to point out that these arguments were responded to in the office action mailed 6/6/2007.

Applicant further argues, "Examiner's motivation statement falls short of establishing a prima facie case of obviousness with regard to claim 1."

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it was previously shown that the motivation to combine Riggins with D'Amico was to aid in "securing access to services in a computer network". Riggins was combined with D'Amico in order

to show the obviousness of "...challenging a device and authenticating the call request message..." The authentication process is well known in the art to allow for securing access to networks, data content, etc., which is shown in Riggins on column 1 lines 25-27. Since the combination was for a method of security, and not the specifics of the network, the motivation is clearly relevant.

Applicant argues, "Nowhere does Riggins disclose or suggest performing a hash function based on a username and password...Riggins discloses using a hash of the user's password."

In response to applicant's arguments, the examiner respectfully disagrees. In column 10 line 62 through column 11 line 13, Riggins explains the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user. Specifically see column 11 lines 5-12, where it is also explained that the use of the user's password, hash of the user's password or user's public keys to verify the identity of the user, is just an example of such user information (i.e. "For example, the global server 920 may retrieve and use user's information 960 such as the user's password, hash of the user's password or user's public keys")

As it was previously explained in the examiners last response, Riggins is merely explaining that using the hash of the user's password is **an example of the type of information that can be used**. The rejection of the claims containing this limitation were made in a 103 obvious type rejection, and therefore since the hash of the user's password was explained as merely an example, one of ordinary skill in the art would have found it obvious to use a hash of the **user name and password**, rather than jus

the password. This is a well-known idea in the communications art that pertains to providing access to systems, information, etc, based on the user of the device (i.e. authenticating a user). Therefore, the limitation can be read on by this reference.

Applicant further argues, "Examiner's motivation statement falls short of establishing a prima facie case of obviousness with regard to claim 27."

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the examiner combined Faccinn with D'Amico and Riggins to show the obviousness of inserting a client billing tag into a call request, and transmitting the call request to the gateway. The motivation was to allow for billing IP based telephone calls. Although the applicant argues "...combining the disclosure of inserting a client billing tag into a call request message....into the cellular communication system of D'Amico would not facilitate billing of IP bases telephone calls...", the examiner respectfully disagrees. The examiner was asserting that the D'Amico reference taught regular billing methods, while Faccinn taught billing of IP type calls. The teachings of Faccinn into D'Amico would allow for billing of IP type calls in the D'Amico system, thus the motivation "to allow for billing IP based telephone calls" is relevant.

Applicant further argues, D'Amico et al., Riggins, and Faccinn et al. do not disclose or suggest determining an authentic originating client based on the at least one calling feature and the authentication result, as recited in claim 31.

In response to applicant's arguments, the examiner respectfully disagrees. This limitation is understood from column 28 lines 1-15. For example, a subscriber, or called party, registers numbers into a table. This table is a profile including information corresponding to at least one calling feature activated by the second client (i.e. called party). When a caller attempts to call the subscriber, their number is checked against the numbers in the table to determine if the calling party is in the list (i.e. or profile, which means the check determines the authentic originating client if their number is on the list. The originating client, or caller, is determined using the VIP list-calling feature, which checks their number with the numbers in the list, this reads on authenticating the caller based on a calling feature and an authentication result). If the caller is in the list, then the called party will pay for the call. If the calling party is not on the list, they can be prompted to whether or not they would like to pay or the call can be automatically terminated.

Applicant further argues that Innes does not even mention SIP, and therefore cannot suggest adding a header to a SIP call request message.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986). Innes may not mention SIP, however the rejection of claim 38 was made as a 103 combination with D'Amico and Faccinn. As explained in the rejection Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device. The examiner then added the Faccinn reference to show the SIP message limitation. Therefore, the limitation being argued can be seen in the combination of references.

Applicant further argues, D'Amico, Innes, and Faccinn do not teach instructions for checking the Sip call request message for a server identifier in a security header appended to the SIP call request message, the server identifier identifying a server from which the SIP call request message was received.

In response to applicant's argument, the examiner respectfully disagrees. As explained in the rejection Innes teaches this limitation. The examiner stated that Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a

client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device. Innes does not however, teach that the call request is an SIP call request message, which the examiner then combines Faccinn to show this missing limitation.

Applicant further argues, Innes does not disclose or remotely suggest completing a call.

In response to applicant's argument, the examiner respectfully disagrees. The examiner previously explained that Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device. The examiner would also like to point out that the rejection is a combination of references and D'Amico also clearly teaches the idea of completing a call in column 28 lines 5-7 where it is explained that if the number of the calling party is listed in VIP table, i.e. has a VIP tag listed in the database, then the call is put through and the called party is charged (i.e. the call is authorized and completed).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-14, 27-29, 31-32, 34-37, 61-63 75-78, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454) in further view of Faccinn et al (US2002/0127995).

Consider claims 1, 5, 61, 75, 80. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising:

receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26);

authenticating the call request message, where by an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and

searching a database to determine whether the database includes a client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is nor authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). This limitation being argued can be understood more clearly from column 28 lines 1-10, 30-34, and 45-47. For example, the claim recites, "...searching a database to determine whether the database includes a client billing tag corresponding to the authentic

originating client..." This limitation is read on by the idea of the "Very Important Person" (VIP) table, which has been previously established (i.e. the numbers are stored in some type of database at the ISCP (intelligent services control point) as a table, or list, of VIP members). It is explained that when a call is to be placed, it is then determined if the calling party is listed in the table of VIP's. The reason the numbers listed in the VIP list are understood as a client billing tags, is that based on whether or not the originating caller is on this list, i.e. has a VIP tag, it is determined who will pay for the call, i.e. the calling party or the called party (to further clarify, if the calling party is on the VIP list, then the called party will pay, if not the call may be terminated as explained in the following, therefore the VIP list determines what party is billed, which clearly reads on billing tag). Next, the claim recites, "...authorizing the call to be completed if the client billing tag is included in the database..." This is clear from column 28 lines 5-7 where it is explained that if the number of the calling party is listed in VIP table, i.e. has a VIP tag listed in the database, then the call is put through and the called party is charged (i.e. the call is authorized). Lastly, the claim recites, "...not authorizing the call to be completed if the client billing tag is not included in the database..." In column 28 lines 30-34 and 45-47 it is shown that if the number of the calling party is not found in the list of VIP's the call can then be routed to voice mail or simply terminated (i.e. not authorized).

D'Amico does not teach challenging a device that originated the call by requesting the device to authenticate itself, performing a first authentication process based on a username and password, wherein the device generates an authentication

result as a result of authenticating itself, authenticating the call request message with a second authentication process, and the idea of and identifying an authentic originating client when the second authorization result matches the first authorization result.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); authenticating the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and identifying an authentic originating client when the first and second authentication results match (i.e., the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27). Riggins further teaches the idea that the originating client is identified when the second and first authentication results match in column 11 lines 1-13, column 12 lines 29-43, and figures 13-14. See where it is explained that the authentication applet prompts the user for ID and password (i.e. the first authentication of the device), then the user forwards a response message to the authentication system. The authentication system then verifies the message based on the password and other user information (i.e. the second authentication). The system compares the information sent in from the user and the

information found in the user information section (i.e. comparing the first and second authorizations) and will then allow the user to access the server if the identity is verified.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

However, the combination does not specifically disclose the idea that the call request message is an SIP message.

Faccinn teaches a billing method and system which uses the SIP protocol and receiving a SIP call request message in paragraph 24.

Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to utilize the SIP protocol with call request messages of Faccinn with the teachings of D'Amico and Riggins. The motivation for doing so would have been to allow for joint billing for GPRS services and IP telephony services (Faccinn par. 14).

Consider claim 4. Riggins further teaches the step of authenticating includes performing a calculation using a hash algorithm (column(s) 10, line(s) 62 through column(s) 11, line(s) 13).

Consider claims 2-3, 11, 27-29, 31-32, 36-37, 62-63, and 76-78. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising: receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln.

36 to col. 30, ln. 9); and searching a database to identify whether the database includes a client billing tag that identifies the authentic originating client as a party responsible for paying for the call, whereby the call is authorized to be completed if the database includes the client billing tag, and the call is not authorized to be completed if the database does not include the client billing tag (col. 27, ln. 57 to col. 29, ln. 45). This limitation is read on by the idea of the "Very Important Person" (VIP) table, which has been previously established (i.e. the numbers are stored in some type of database at the ISCP (intelligent services control point) as a table, or list, of VIP members). It is explained that when a call is to be placed, it is then determined if the calling party is listed in the table of VIP's. The reason the numbers listed in the VIP list are understood as a client billing tags, is that based on whether or not the originating caller is on this list, i.e. has a VIP tag, it is determined who will pay for the call, i.e. the calling party or the called party (to further clarify, if the calling party is on the VIP list, then the called party will pay, if not the call may be terminated as explained in the following, therefore the VIP list determines what party is billed, which clearly reads on billing tag). Next, the claim recites, "...authorizing the call to be completed if the client billing tag is included in the database..." This is clear from column 28 lines 5-7 where it is explained that if the number of the calling party is listed in VIP table, i.e. has a VIP tag listed in the database, then the call is put through and the called party is charged (i.e. the call is authorized). Lastly, the claim recites, "...not authorizing the call to be completed if the client billing tag is not included in the database..." In column 28 lines 30-34 and 45-47 it is shown

that if the number of the calling party is not found in the list of VIP's the call can then be routed to voice mail or simply terminated (i.e. not authorized).

D'Amico does not teach challenging a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself, and authenticating the call request message based on the authentication results.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); authenticating the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and comparing the second authentication result to the first authentication result (i.e., the global server uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

D'Amico in view of Riggins do not teach inserting the client billing tag into the call request message when the call is authorized to be completed; and forwarding the call request message when the call is authorized to be completed.

Faccinn teaches a billing method and system which uses the SIP protocol and receiving a SIP call request message in paragraph 24. Faccinn further teaches inserting the client billing tag into the call request message; and forwarding the call request message to a gateway (the use of call ID for charging coordination; paragraph(s) 0023-0026, 0064, 0096, and 0097).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Faccinn into the teachings of D'Amico in view of Riggins for the purpose of billing IP based telephone call.

Consider claims 6-10, 12-14, and 34-35. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

5. Claims 15-17, 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claims 1, 61 above, and further in view of Innes (6,687,743).

Consider claims 15-17, 64. D'Amico, Riggins, and Faccinn teach the limitations of the previous claims 1 and 61.

However, they do not specifically teach adding a header to the call request message, the header including a server id; and transmitting the call request message to

the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes into the teachings of D'Amico, Riggins, and Faccinn for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

6. Claims 30, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claims 28, 31 above, and further in view of Fletcher et al (H1897).

Consider claim 30, 33. D'Amico in view of Riggins and Faccinn does not teach transmitting at least one call statistic to a network management system.

Fletcher teaches transmitting at least one call statistic to a network management system (col. 2, ln. 11-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Fletcher into the teachings of D'Amico in view of Riggins and Faccinn in order to provide operations and maintenance functions, both radio and switch related, using one system. This reduces overall system costs and increases.

7. Claims 38-42, and 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Innes (6,687,743) in further view of Faccinn et al. (US 2002/0127995).

Consider claims 38-42 and 66-68. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is nor authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the

call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes into the teachings of D'Amico for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

However, D'Amico and Innes do not specifically teach the SIP protocol and receiving a SIP call request message.

Faccinn teaches a billing method and system which uses the SIP protocol and receiving a SIP call request message in paragraph 24.

Therefore it would have been obvious for one of ordinary skill in the art at the time of invention to utilize the SIP protocol with call request messages of Faccinn with the teachings of D'Amico and Innes. The motivation for doing so would have been to allow for joint billing for GPRS services and IP telephony services (Faccinn par. 14).

10. Claims 43-44, 47-49, 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Riggins (6,766,454) and Hluchyj et al (6,282,193).

Consider claims 43, 79. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is nor authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico further teaches the idea that the billing tag identifies the authentic originating client as a party responsible for paying for the call in column 27 line 57 through column 29 line 45. This limitation is read on by the idea of the "Very Important Person" (VIP) table, which has been previously established (i.e. the numbers are stored in some type of database at the ISCP (intelligent services control point) as a table, or list, of VIP members). It is explained that when a call is to be placed, it is then determined if the calling party is listed in the table of VIP's. The reason the numbers listed in the VIP list are understood as a client billing tags, is that based on whether or not the originating caller is on this list, i.e. has a VIP tag, it is determined who will pay for the call, i.e. the calling party or the called party (to further clarify, if the calling party is on the VIP list, then the called party will pay, if not the call may be terminated as explained

in the following, therefore the VIP list determines what party is billed, which clearly reads on billing tag). In column 27 lines 58-61, it is explained that the identity of the calling party must be known to the subject of the system in order for the calling party to be charged for the call. The system then checks the VIP table (i.e. searching the database to find a predetermined client billing tag). If the client is not listed in the VIP table, and since the identity of the caller must be known, the originating client is then notified to be the party responsible for paying for the call.

D'Amico does not teach challenging a device that originated the call by requesting the device to authenticate itself, performing a first authentication process based on a username and password, wherein the device generates an authentication result as a result of authenticating itself, process the call request message received by performing an authentication process based on the username and password the call request message with a second authentication process, and the idea of comparing the first and second authentication results.

Riggins teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device performs a first authentication process on a user and a password associated with the device to generate a first authentication result as a result of authenticating itself (see the entire abstract; a hash of the user's password, column(s) 10, line(s) 62 through column(s) 11, line(s) 13); processing the call request message by performing a second authentication process based on the username and password associated with the device to generate a second authentication result and comparing the authentication results (i.e., the global server

uses the user's password, hash of the user's password or user's public keys to verify the identity of the user, column(s) 10, line(s) 62 through column(s) 11, line(s) 13) for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Riggins into the teachings of D'Amico for the purpose of securing access to services in a computer network (column(s) 1, line(s) 25-27).

However, the combination does not specifically disclose the idea that the call request message is an SIP message, the SIP server, and the network gateway coupled to the Sip server configured to provide access to the telephone network.

Hluchyj teaches the use of packet network server that reads on the SIP server (col. 3, ln. 58 to col. 4, ln. 67; col. 6, ln. 50-65). He further teaches the use of a gateway connected to the server to provide access to the telephone network in figure 3 item 32 (GW).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hluchyj into the teachings of D'Amico in view of Riggins in order to reduce long distance or toll charge to the subscribers.

Consider claim 44. D'Amico further teaches the server transmits the call request message to the gateway if the client billing tag is obtained, and does not transmit the call request message to the gateway if the client billing tag cannot be

obtained (col. 30, ln. 45 to col. 31, ln. 21, and further see the rejection of claim 43 above which further explains the idea of transmitting and not transmitting the call request).

Consider claim 47. D'Amico's col. 28, ln. 1-16 reads on the limitations of this claim.

Consider claims 48-49. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

11. Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claim 43 above, and further in view of Faccinn et al (US2002/0127995).

Consider claim 45. D'Amico in view of Riggins and Hluchyj does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

Faccinn teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (the use of call ID for charging coordination; paragraph(s) 0023-0026, 0064, 0096, and 0097).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Faccinn into the teachings of D'Amico in view of Riggins and Hluchyj for the purpose of billing IP based telephone call.

Consider claim 46. D'Amico's col. 28, ln. 48-60 reads on the limitations of this claim.

8. Claims 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over the grounds of rejection as applied to claim 41 above, and further in view of Innes (6,687,743).

Consider claims 50-51. D'Amico, Riggins, and Hluchyj teach the limitations of the previous claim 43.

However, they do not specifically teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Innes teaches adding a header to the call request message, the header including a server id to identify a server sending the call request message (caller id from the server; column(s) 2, line(s) 5-16, line(s) 60 through column(s) 3, line(s) 4; column(s) 9, line(s) 36-56, see also claims 4, 14 and 20); and transmitting the call request message to a client equipment, the client equipment being configured to complete the call (return call) if the header is detected and inherently not complete the call if the header is not detected for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Innes into the teachings of

D'Amico, Riggins, and Hluchyj for the purpose of establishing a server initiated high level protocol communications session between a server and a client on a mobile computing device.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Thier whose telephone number is (571) 272-2832. The examiner can normally be reached on Monday thru Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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